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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,587	11/13/2001	Chris A. Wolfe	020075	4346
23696	7590	11/16/2005	EXAMINER	
QUALCOMM, INC 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			BURGESS, BARBARA N	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/010,587	WOLFE ET AL.
	Examiner Barbara N. Burgess	Art Unit 2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 August 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

This Office Action is in response to Amendments filed August 22, 2005. Claims 1-25 are presented for further consideration.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-4, 6-10, 12-13, and 15-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Marshall et al. (hereinafter “Marshall”, US 2001/0031656 A1).

As per claims 1, 10, 19, Marshall discloses a system, service hub, and method for providing online service reports to user subscribers, wherein the service reports contain service information about services rendered by one or more service providers operating at the direction of a service administrator, the system comprising:

- A service hub coupled between the service administrator and the one or more service providers, the service hub including a receiver that receives access messages that define access rights for the user subscribers, the service hub also including a decoder that decodes the service information from one or more

operational messages comprising macro messages to convey the service information exchanged between the service administrator and the one or more service providers (paragraphs [0044, 0053-0054, 0062, 0081-0082, 0092], Marshall discloses a wagering data hub connected to a subscriber management system (service administrator), one or more tote companies (service provider), one or more racing data providers (service provider), and one or more handicapping data providers (service provider). The wager hub obtains information from the subscriber management system to verify that a wager by a user is authorized. Tote companies provide wagering event data and account information to the hub. Therefore, the hub implicitly discloses a decoder that decodes the service information exchanged between the service administrator (subscriber management system) and one or more service providers (tote companies, racing data providers, handicapping data providers));

- A network server coupled between the service hub and the user subscribers via a communication network, the network server including logic to receive a request from a selected user subscriber, and in response, provide at least a portion of the selected service information to the selected user subscriber based on the access rights defined in the access message (paragraphs [0055-0059], Marshall discloses the wagering data hub including a set-top server, interactive voice response server, and a personal computer server that is able to communicate with the corresponding terminal. Each may provide data and video signals to and receive data signals from the respective servers. When a user requests to

place a wager via any of these servers, the servers verifies authorization with the subscriber management system or tote companies before sending back a response).

As per claims 3, 12, further Marshall discloses the system, service hub of claim 2 and 11 wherein the decoder comprises logic to decode the macro messages to determine the service information (paragraphs [0059, 0062]).

As per claims 4, 13, Marshall discloses the system and service hub of claims 2 and 11 wherein the service hub receives a control message containing definitions for the macro message (paragraphs [0053-0054]).

As per claims 6, 15, Marshall further discloses the system and service hub of claims 1 and 10 wherein the network server includes logic to authenticate the selected user subscriber that makes the request (paragraphs [0059]).

As per claims 7, 16, Marshall discloses the system and service hub of claims 1 and 10 wherein the network server is coupled to the service hub via the communication network (paragraph [0055]).

As per claims 8, 17, Marshall discloses the system and service hub of claim 1, and 10 wherein the service hub is coupled to multiple service administrators associated with multiple service businesses (paragraphs [0044]).

As per claims 9, 18, Marshall discloses the system and service hub of claims 1 and 10 wherein the operational message includes access rights for the user subscribers (paragraphs [0053-0054]).

As per claim 20, discloses the method of claim 19, wherein the step of determining is a step of determining the access rights from an access message received at the service hub (paragraph [0062]).

As per claim 21, discloses the method of claim 19, wherein the step of determining is a step of determining the access rights from the at least one operational message (paragraph [0062]).

As per claim 22, Marshall discloses the method of claim 19, wherein the step of decoding is a step of decoding one or more macro message that represent the service information (paragraphs [0062, 0081-0082])

As per claim 23, Marshall further discloses the method of claim 19 wherein the step of receiving a request further includes a step of authenticating the request (paragraphs [0059]).

As per claim 24, Marshall discloses the method of claim 19 wherein the step of receiving is a step of a request from a selected user subscriber via a communication network (paragraphs [0058]).

As per claim 25, Marshall discloses the method of claim 19 wherein the step of providing is a step of providing selected service information to a user subscriber when a trigger event occurs, wherein the selected service information is derived from the service information based on the access rights (paragraphs [0059-0062]).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marshall et al. (hereinafter "Marshall", US 2001/0031656 A1) in view of Antonello et al. (hereinafter "Ant", US Patent Publication 2003/0078785 A1).

As per claims 2, 11, Marshall discloses the system, service hub, of claims 1, 10.

Marshall does not explicitly disclose wherein the macro messages are defined according to the one or more service providers, the same macro message being capable of a different meaning among the one or more service providers. However, in an analogous art, Ant discloses a discount identification code provided in order to allow the collection of statistical information relating to the types of borrowers who obtains access to the various offers, distinguishing borrowers accessing the offer for a second or subsequent time, and identifying a borrower accessing an offer as coming from a particular lender (paragraphs [0033, 0035]).

Therefore, one of ordinary skill in the art would have found it obvious to incorporate or implement Ant's macros being capable of different meaning among one or more service providers in Marshall's system in order to identify borrowers accessing an offer for a subsequent time.

5. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marshall et al. (hereinafter "Marshall", US 2001/0031656 A1) in view of Kaplan et al. (hereinafter "Kaplan", US Patent No. 6,829,234 B1).

As per claims 5, 14, Marshall does not explicitly discloses the system and service hub of claims 1 and 10 wherein the service hub includes a memory and logic to maintain a master status table that contains the service information describing services rendered by the one or more service providers.

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However, in an analogous art, Kaplan discloses a series of tables that point to one another in various ways such as trunk circuit table, trunk group table, exception table, ANI table, called number table, and routing table (column 11, lines 21-67, column 12, lines 1-50).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Kaplan's master status table that contains the service information describing services rendered by the one or more service providers in Marshall's system in order to identify any special characteristics related to a called number, identify various special action to be taken in the course of call processing.

### ***Response to Arguments***

**The Office notes the following arguments:**

- (a) Marshall fails to teach or suggest the use of macro messages in this reference concerning systems and methods for interactive wagering.
- (b) Claims 2 and 11 have been amended to provide that the macro messages need not have the same meaning among service providers. These limitations further distinguish claims 2 and 11 from Marshall.

**In response to:**

- (a) According to the specification, macro codes are codes that are predefined to represent specific information (paragraph [0026]). Marshall discloses identification numbers, credit card numbers, bank account numbers, social security numbers, etc.

provided to the hub to represent a specific user (paragraph [0062]). Also, Marshall discloses the user sending a choice of "MRB", "EXA", "EXB", "TRI", to the hub representing "multiple-race bet", "exacta", "exacta-box", "trifecta" (paragraphs [0081-0083]). Therefore, Marshall discloses the use of macro messages.

(b) Applicant's argument has been considered but is moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess  
Examiner  
Art Unit 2157

October 27, 2005



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